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Approved for use through 10/31/2002. OMB 0651-0031

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Application Number TRANSMITTAL 01/18/2002 **Filing Date FORM** Eduard Lerner First Named Inventor (to be used for all correspondence after initial filing) Group Art Unit **Examiner Name** Total Number of Pages in This Submission 10087-P04cip2 Attorney Docket Number **ENCLOSURES** (check all that apply) Assignment Papers (for an Application) After Allowance Communication Fee Transmittal Form to Group Fee Attached Appeal Communication to Board Drawing(s) of Appeals and Interferences Licensing-related Papers Amendment / Reply Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) **Provisional Application** Status Letter Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request identify below): Terminal Disclaimer **Express Abandonment Request** Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Document(s) Other - Return Reciept Post Card Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Harvey Kaye Individual name Signature 06/03/2002 Date **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 06/05/2002 Harvey Kayé Typed or printed name Signature Date | 06/05/2002

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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of:

Dr. Eduard Lerner

Ser No: Filed:

10/050,183

Group Art Unit:

For:

January 18, 2002

Examiner:

Method and Device For Enhanced Delivery of A Biologically Active Agent Through The Spinal Spaces Into The Central

Nervous System Of A Mammal

Atty. Dkt:

10087-P04cip2

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

## SUPPLEMENTAL PRELIMINARY AMENDMENT

Supplemental to the Preliminary Amendment filed by mail on May 29,2002, kindly amend the application by amending the following claims:

(amended) A method as claimed in claim 13 wherein the receptor 19. electrode is an iontophoresis electrode which includes an electrolytecontaining compartment for storage of electrolyte, an electroconductive member and a membrane through which electrolyte transport occurs.

- 25. (amended) A method according to claim 13 wherein said first electrode is a reservoir-type iontophoresis electrode holding a supply of the selected biologically active agent in a formulation suitable for iontophoretic or phonophoretic delivery and/or wherein said second electrode is a reservoir-type iontophoresis electrode holding a supply of electrolyte.
- 26. (amended) A method according to claim 13, wherein said first and second electrodes comprise an electroconductive part having electroconductive material selected from the following group: stainless steel, gold, silver, titanium, copper, zinc, graphite and metal salts (e.g. silver chloride).
- 31. (amended) A method according to claim 13 wherein the catheter-based device can be removed entirely from the epidural space following positioning of the donor electrode.